

REMARKS

Claims 1-4 were pending in the application.

Claims 1-4 have been rejected.

No claims have been amended herein.

Claim 5 was previously canceled.

Claims 6-28 are added herein.

Claims 1-4 and 6-28 remain pending in this application.

Reconsideration of the claims is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,697,122 to *Kim* (hereinafter “Kim”). This rejection is respectfully traversed.

A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Claim 1 recites:

1. A switched input video device comprising:
a switched input
at least one of video improvement circuitry and transcoder circuitry; and
a switch for communicating the switched input to at least one of the video improvement circuitry and the transcoder circuitry, wherein the switch is operable to sense a presence of a signal on the switched input and communicate the switched input to the at least one of the video improvement circuitry and the transcoder circuitry in response to the sensed signal. (*Emphasis added*).

The emphasized limitations were added by amendment in the response filed July 27, 2007.

In rejecting Claim 1, the Office Action asserts that Kim describes a switched input, an at least one of video improvement circuitry and transcoder circuitry, and a switch. However, the Office Action does not assert that Kim shows the switch operable to sense a presence of a signal on the switched input and communicate the switched input to the at least one of the video improvement circuitry and the transcoder circuitry in response to the sensed signal. The Applicant respectfully submits that Kim does not describe such a switch. As such, the Office Action fails to establish a *prima facie* case of anticipation.

For at least these reasons, independent Claim 1 is patentable over the cited reference. Claims 2-4 depend from Claim 1 and include all the limitations of their base claim and, therefore, also are patentable over the cited reference. As such, the Applicant respectfully requests the withdrawal of the § 102 rejection of Claims 1-4.

CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining claims in the Application are in condition for allowance, and respectfully requests an early allowance of such claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckcarter.com*.

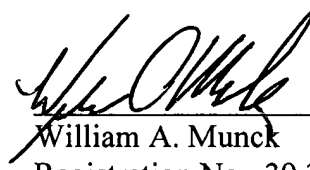
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, P.C.

Date:

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